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NASA Procedural Requirements

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2006**COMPLIANCE IS MANDATORY**

Senior Executive Service Career Appointee Merit Staffing in NASA w/Change 1 (3/29/04)

Responsible Office: Office of Human Capital Management

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Change History

NPR 3317.1, Senior Executive Service Career Appointee Merit Staffing in NASA

1	03/29/04	Deletions made as a result of ADI/Jennings' memo dated 12/05/03. Administrative changes made throughout to correct responsible office codes, names, and to change NPG to NPR.
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Preface

P.1. Purpose

This NPR establishes, in accordance with applicable laws and regulations, the responsibilities, procedures, and guidelines for filling Senior Executive Service positions.

P.2. Applicability

This NPR is applicable to NASA Headquarters and NASA Centers, including Component Facilities.

P.3. Authority

P.3.1. Title 5, United States Code (U.S.C.), 3392(a).

P.3.2. Title 5, U.S.C., 3393(a).

P.3.3. Title 5, U.S.C., 3393(b).

P.3.4. Title 5, U.S.C. 3393(c).

P.3.5. Title 5, U.S.C. 3393(d).

P.3.6. Title 5, U.S.C. 3393(e).

P.3.7. Title 5 U. S. C. 3132(b).

P.3.8. 5 CFR, Part 317.

P.3.9. 5 CFR, Part 214, Subpart D.

P.4. References

NPD 3000.1, Management of Human Resources.

NPR 3100.1, Management of the Senior Executive Service.

P.5. Cancellation

NASA FPM Supplement 920, Appendix B, dated August 11, 1988.

NASA FPM Supplement 920, Appendix D, dated June 20, 1988.

/s/ Vicki A. Novak
Assistant Administrator for
Human Resources

Distribution:

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Chapter 1: Legal and Regulatory Background

1.1. Career Appointments

Career appointees must meet the qualifications of the position to which assigned as determined in writing by the Agency and initial appointment to the Career SES must be processed in accordance with the merit staffing process in this NPR. Consistent with regulations issued by the Office of Personnel Management (OPM) and applicable provisions of law, the NASA Executive Resources Board (ERB), through Executive Resource Panels (ERP's), conducts the NASA SES Career appointment merit staffing process.

1.2. Noncareer Appointments

Noncareer appointees must meet the qualifications of the position to which assigned as determined in writing by the Agency; may only serve in General SES positions; and appointments must be approved by the Office of Personnel Management. The competitive procedures in this NPR, however, do not apply.

1.3. SES Position Designations

SES positions are either Career Reserve or General. A position is designated Career Reserve if it must be filled by a career appointee to ensure the impartiality, or the public's confidence in the impartiality, of the Government. Positions not designated Career Reserve are General positions. Determinations are made following the criteria in 5 CFR 214.402. A General position may be filled by a career or noncareer appointee. The same General position may be filled by a career appointee at one time and a noncareer appointee at another time. However, a Career Reserve position may only be filled by a career appointee.

1.4. NASA Policy

It is NASA policy to recruit and select the best qualified executives possible from the widest practical recruitment sources for SES career appointments including appropriate sources for minority and female candidates and candidates with disabilities. The extent of the recruitment area will depend upon the individual position in question and the potential sources of candidates for the position.

1.5. Exclusions

SES positions assigned to the Office of Inspector General are excluded from coverage in this NPR.

Chapter 2: Responsibility

2.1. Executive Resources Board

The NASA ERB advises the Administrator on the overall management of NASA senior executives, including competitive recruitment and selection, SES appointments, performance appraisal and recognition, and compensation. It also conducts the SES merit staffing program for the Administrator.

2.2. Institutional Program Officers

Enterprise Associate Administrators with the dominant activity at a NASA Center serve as Institutional Program Officers (IPO's). They exercise oversight of the NASA executive resources system within their Headquarters organization and the Centers where their activity is dominant and recommend selections for SES positions within their Headquarters organization and concur with selections recommended by EPM's at Centers where their activity is dominant.

2.3. Executive Position Managers

NASA Executive Position Managers (EPM's) are Center Directors, Associate Administrators, and other Officials-in-Charge of Headquarters Offices. They manage Executive Resources Panels (ERP's) for positions within their respective organization (with oversight resting with the IPO's, if applicable), recommend selections for SES positions within their organization, and implement the policies of NASA as recommended by the ERB and approved by the Administrator.

2.4. Executive Resources Panel

A NASA ERP consists of three or more employees appointed by the EPM to identify development candidates for SES career positions and to identify qualified candidates for vacant SES career positions when recruitment outside the SES is undertaken. The ERP may be appointed to serve a fixed term or may be appointed to assist the EPM in connection with a specific requirement. The ERP may include or be comprised of employees outside of the EPM's organization, although a majority of the ERP must be comprised of career employees in the SES. ERP members from other agencies are permitted.

2.4.1. Under the direction of the EPM, ERP's are responsible for the following:

2.4.1.1. Establishing position qualification standards.

2.4.1.2. Developing SES vacancy announcements (the five Executive Core Qualifications are incorporated into the announcement as the managerial qualification requirement).

2.4.1.3. Notifying the NASA Personnel Division of the need to fill a vacancy by submitting a NASA Form 1669 in advance, to ensure coordination at the ERB staff level, and OPM.

2.4.1.4. Recruiting SES candidates from a wide range of sources, including those with potential for providing minority and female candidates and candidates with disabilities.

2.4.1.5. Establishing local selection procedures consistent with law and regulation and this NPG.

2.4.1.6. Discussing possible conflict of interest issues with SES candidates.

2.4.1.7. Recommending highly qualified candidates to the EPM for consideration.

2.4.1.8. Investigating, recommending, or taking actions necessary to satisfy inquiries concerning SES staffing issues.

2.4.1.9. Documenting merit staffing actions.

2.5. NASA Personnel Division

The NASA Personnel Division (Code FP) staffs recommended selections for SES appointment to the Administrator and OPM for approval, and provides advice and assistance to Center Personnel Offices, EPM's, ERP's and the Administrator throughout the process.

Chapter 3: Qualification Standards

3.1. Qualifications Standards will be developed by the ERP at the time recruitment for a vacant position is initiated or an existing position, whether encumbered or not, is substantially altered. The standards are developed by or with the supervisor or other management officials, as appropriate, with sufficient specificity that qualitative distinctions among candidates are possible.

3.2. Standards must be based on essential job elements that include the following:

- a. The basic duties and responsibilities.
- b. The executive and technical knowledge, skills, and abilities required to perform those duties and responsibilities.
- c. The factors or criteria that are important in evaluating candidates.

3.3. Each qualification criterion included in the standard must be job related.

3.4. The same procedures for developing standards shall apply to both Career Reserve and General SES positions.

Chapter 4: Recruitment Procedures

4.1. Recruitment outside the Immediate Organization

EPM's may identify viable candidates outside of their immediate organizations to fill a career position from among current career SES appointees either within NASA or at another agency. Filling the position noncompetitively through reassignment or transfer is appropriate after receipt of the concurrence of the IPO (if applicable) and the ERB Chairperson, and approval by the Administrator.

4.2. Recruitment within the Government

In identifying candidates for recruitment within the Federal Government, the ERP's should seek highly qualified candidates from all groups of qualified individuals within the Executive, Legislative, and Judicial branches. Recruitment will not be limited to persons within NASA or to those with competitive status. Included will be qualified employees throughout NASA; sources of minority and female candidates and candidates with disabilities; referrals from NASA managers; and other Government agencies that can reasonably be expected to contain numbers of highly qualified candidates within the workforce.

4.3. Recruitment outside the Government

In recruitment searches extended outside the Federal Government, the ERP's will seek highly qualified candidates from the following sources in addition to those used within the Government: private industry, the academic community, state or local government, and the uniformed services where highly qualified candidates can be reasonably expected to be found.

4.4. Recruitment of SES Candidate Development Program Graduates

A graduate of an SES Candidate Development Program (CDP) that was open to applicants at least Governmentwide, and whose Executive Core Qualifications have been certified by an OPM Qualifications Review Board, may be appointed to an SES position without further competition under OPM regulation. In NASA, however, all initial SES career entry appointments will be made following the competitive procedures in this NPR, unless a waiver of competitive procedures is granted. For appointments at NASA Centers a waiver may be granted by the IPO and for appointments at Headquarters a waiver may be granted by the Administrator. Filling the position noncompetitively with a certified CDP graduate is appropriate after receipt of the concurrence of the IPO (if applicable) and the ERB Chairperson, and approval by the Administrator.

4.5. Distribution of vacancy announcements

4.5.1. Vacancy announcements will be submitted to the NASA Personnel Division, Code FP for approval when required by NPR 3100.1. The EPM/ERP will distribute the announcement to all NASA Centers and selected other organizations within the recruitment area that can reasonably be expected to have groups of highly qualified candidates.

4.5.2. Announcements must be open for at least 14 days from the date published in the OMP SES vacancy announcement system.

4.6. Applicant Evaluation Procedures

4.6.1. The ERP must group qualified candidates into broad categories (i.e., highly qualified, and minimally qualified). Numerical rating and ranking are not to be used.

4.6.2. The ERP will provide the EPM with written recommendations and a brief rationale on all highly qualified candidates who apply for a vacancy to be filled by a career appointee. Information on candidates not in this best qualified group will be maintained in the vacancy file; however, it need not be forwarded with the referred candidates.

4.6.3. The EPM shall provide the following for review by NASA management and for the request to OPM for approval of executive qualifications (as required by 5 U. S. C. 3393(c):

4.6.3.1. A NASA Form 1669 describing and justifying the requested action, including the recommended pay.

4.6.3.2. The position description.

4.6.3.3. The vacancy announcement, which includes the qualification standards.

4.6.3.4. A written evaluation of the candidate's background to support certification of executive qualifications. Executive qualifications are defined in terms of competence to assume leadership responsibilities in the executive core qualifications established by the OPM.

4.6.3.5. The candidate's application.

4.6.3.6. Reserved

4.6.3.7. A completed OPM Form 1390.

4.6.3.8. Any other information which from time to time may be required by the Administrator; such as a summary of the results of the staffing process followed or the narrative personal endorsement of the recommended candidate prepared by the EPM or IPO as appropriate.

4.7. Merit Staffing Documentation

4.7.1. The following records shall be maintained for a period of 2 years after the date of initial career appointment (or the closing date if no selection is made) or until an OPM evaluation, whichever occurs first. The Headquarters Human Resources Management Division will serve as the repository for such records for the EPM's located at NASA Headquarters, the Centers, the Center Personnel Office should be the repository: the OPM vacancy control number, the position description, and the vacancy announcement (including the qualification standard); a list of organizations and addresses to which the vacancy was distributed and the distribution rationale; originals of all applications received; the selection procedures (rating plan) applied; the names and organization titles of ERP members; the signed and dated written recommendations of the ERP concerning each candidate made (a list of the groupings of all applicants and the supporting rationale or rating sheets); any references or qualifications questionnaires or inquiries obtained on applicants; record of which (if any) candidates were interviewed; and any complaints or appeals to the ERP and any ERP findings.

4.7.2. The EPM will retain all versions of a position's qualification standard for the life of the position.

4.7.3. A description of the procedures used by the Center for filling career SES vacancies by merit staffing will be available and open to review by anyone requesting the information. Applicants are also entitled, upon request, to know whether they were eligible for the position and whether they were referred to the selecting official for consideration for appointment. They may have access to qualifications questionnaires or reports of qualifications inquiries about themselves, except for information that would identify a confidential source.

4.8. Program Review and Quality Assurance

The NASA Personnel Division will monitor the operation of the SES personnel management system and make recommendations on improvements or corrective actions to the Chairman, ERB, and to the Administrator to assure quality and consistent implementation.

Chapter 5: SES Probationary Period

5.1. NASA selects and retains the highest quality of exceptionally competent and dedicated individuals to be responsible and accountable for the direction and success of Agency programs.

5.2. An employee's initial appointment into the SES as a career appointee shall become final only after the individual has served a 1-year probationary period as a career appointee. Actual performance on the job during this period provides an indispensable test in determining whether the employee receives a final career appointment or is removed from the SES. A career appointee who was appointed from a civil service position held under a career or career conditional appointment (or an appointment of equivalent tenure), and who is removed during the 1-year probationary period for unacceptable executive performance, shall be entitled to be placed in a civil service position other than an SES position.

5.3. NASA ensures that the senior executive has every opportunity to know what is expected, and performance progress reviews may be initiated at any time by the supervising official or the senior executive. At a minimum, one progress review must be conducted no later than mid-term during the probationary period. Progress reviews are used to identify and resolve problems that constitute obstacles to performance beyond the executive's control; revise the performance plan; provide feedback to the executive as to their current level of performance; and explore ways to improve performance, as appropriate.

5.4. If it is determined that an SES employee's performance during the 1-year probationary period has been acceptable, the SES certification form must be completed and returned to the Center personnell office 10 days prior to the end of the employee's probationary period.

5.5. Reserved.

5.6. If it is determined that the employee's performance is unacceptable, and removal from the SES is recommended, a justification supporting that recommendation, and a performance appraisal (including any response from the employee), if any, must be submitted no later than 60 days prior to the end of the employee's probationary period.

5.6.1. The recommendation will be reviewed by the IPO, if applicable, and the Chairperson of the ERB who will recommend a course of action to the Administrator. The Administrator will decide whether or not to grant permission to the EPM to proceed with the removal of the individual from the SES.

5.6.2. Before the end of the employee's probationary period, the EPM will take the final action to remove the senior executive from the SES, including the placing of the individual in another civil service position, if appropriate.

Appendix A: Review of Career SES Probationary Period

Review of SES Employee's Probationary Period

Name _____

Organization _____

The 1-year probationary period as a career appointee for the above named senior executive ends Date.

An employee's initial appointment into the SES as a career appointee becomes final only after the individual has served a 1-year probationary period. If the employee's performance has been acceptable, please complete the following certification no later than _____. Return this form through the Executive Position Manager to your Personnel Office.

If the employee's performance has been found to be unacceptable and you are recommending removal from the SES, you must submit narrative justification for that recommendation in lieu of this certification form, with the performance appraisal, if any, and any response from the employee no later than 60 days prior to the end of the employee's probationary period. The justification and appraisal must be submitted to the Administrator through your Institutional Program Officer, if applicable, and the Chairperson of the Executive Resources Board.

I certify that the employee's performance and organizational accomplishment has been found to be acceptable during the employee's probationary period, and I recommend that (name) be granted a final career appointment in the SES.

Signature of Immediate Supervisor
Date

Signature of Reviewing Official
Date

Executive Position Manager
Date

RETURN TO THE PERSONNEL OFFICE

Information Copy: NASA Personnel Division (Code FP), NASA Headquarters.